



PATENT
Client-Matter No.:
67234-015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Chee et al.) Examiner: Unassigned
)
) Group Art Unit: 1635
Serial No: 10/620,852)
)
Filed: July 15, 2003) Confirmation No: 2545
)
For: MULTIPLEX NUCLEIC) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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) DATE OF DEPOSIT: January 20, 2004
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) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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Leonard Bantales
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

[Signature]
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MISSING PARTS TRANSMITTAL

In response to the Notice to File Missing Parts mailed
October 17, 2003, enclosed are:

- X 1. A copy of the Notice to File Missing Parts;
X 2. An executed Declaration;
X 3. An executed Power of Attorney for Patent Application;
X 4. An executed Small Entity Statement;
X 5. An executed Statement Under CFR 3.73(b) with copy of
executed Assignment.
X 6. Twenty-eight (28) sheets of drawings.
X 7. A Petition for a one-month Extension of Time, in
duplicate,


The filing fee has been calculated as shown below:

	NUMBER FILED		NUMBER EXTRA		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	113-20	=	93	x	\$9	\$18	=	\$837
INDEPEN- DENT CLAIMS	7-3	=	4	x	\$43	\$86	=	\$172
MULTIPLE DEPENDENT CLAIMS PRESENTED: X YES NO					\$145	\$290	=	\$145
					BASIC FEE		\$385	\$770
					TOTAL FEE		\$1,539	\$

- X 8. Please charge my Deposit Account No. 502624 the amount of \$1,659.00, \$1,539.00 of which covers the filing fee, \$65.00 of which covers the surcharge fee and \$55.00 of which covers the fee for a one-month extension of time. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 C.F.R. 1.16.
- X Any patent application processing fees under 37 C.F.R. 1.17.
- X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 20, 2004


Deborah L. Cadena
Registration No. 44,048
Telephone: (858) 535-9001
Facsimile: (858) 535-8949

McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive
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The "number of employees" is the average number of employees, including the employees of its domestic and foreign affiliates, based on numbers of employees for each of the pay periods for the preceding completed 12 calendar months. "Employees" includes all individuals employed on a full-time, part-time, temporary, or other basis. Part-time and temporary employees are counted the same as full-time employees. If a concern has not been in business for 12 months, use the average number of employees for each of the pay periods it has been in business. 13 C.F.R. § 121.106.

Concerns are "affiliates" of each other when one concern directly or indirectly controls or has the power to control the other, or when a third party or parties controls or has the power to control both concerns. 13 C.F.R. § 121.103(a).

(3) Nonprofit organization:

A university or other institution of higher education located in any country. § 1.27(a)(3) (ii)(A).

An organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a). Also included are such organizations located in a foreign country that would qualify if it were located in this country. § 1.27(a)(3)(ii)(B),(D).

A nonprofit scientific or educational organization qualified under a nonprofit organization statute of a U.S. state. Also included are such organizations located in a foreign country that would qualify if it were located in this country. § 1.27(a)(3)(ii)(C),(D).

Please note that a license to the Government resulting from a rights determination under Executive Order 10096 does not constitute a license that would prohibit claiming Small Entity Status. Similarly, for small business concerns and nonprofit organizations, a license to a Federal agency resulting from a funding agreement with that agency under 35 U.S.C. § 202(c)(4) is not a license that would prohibit claiming Small Entity Status. § 1.27(a)(4).

I hereby assert that I am empowered to sign on behalf of the party identified below ("Party"). Persons empowered to sign include, but are not limited to, an inventor him- or herself or an authorized officer of an assignee or licensee. *See* § 1.27(c)(2).

I have made a determination of the Party's entitlement to Small Entity Status, including a determination that all parties holding rights in the invention qualify for Small Entity Status. § 1.27(f).

I hereby assert that the Party has not assigned, granted, conveyed or licensed--and is under no obligation under contract or law to do so--any rights in the invention to any other party that would not qualify as a Small Entity. Separate assertions of Small Entity Status should be obtained from each party having rights to the invention.

I hereby assert that the Party is entitled to be accorded Small Entity Status by the USPTO for the application or patent identified above. § 1.27(c)(1).

I understand that Small Entity Status must be newly determined when the issue fee and each maintenance fee is due. If there is any change resulting in loss of entitlement to Small Entity Status, I acknowledge the duty to file a notification to the USPTO in this application or patent before or upon paying the fee. § 1.27(g).

I understand that Small Entity Status must be separately established in any related application, including continuation, divisional, continuation-in-part, continued prosecution application or reissue application. § 1.27(c)(4).

I understand that any attempt to establish Small Entity Status improperly, deceptively or fraudulently will be considered a fraud practiced on the USPTO and may result in abandonment of the application or jeopardize the validity and enforceability of any resulting patent. § 1.27(h).

JAN 16, 2004
Date

Noemi C. Espinosa
Name: Noemi C. Espinosa
Title: Vice President, Intellectual Property

Illumina, Inc.
9885 Towne Centre Drive
San Diego, California 92121



Document: Twenty-eight (28) sheets of
drawings
Client-Matter No: 67234-015

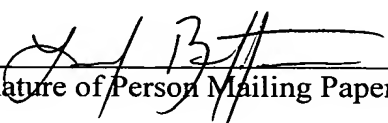
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